THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.23530 of 2005

Dated 03-11-2005

Between:

S. Krupakar, Adilabad District

…Petitioner

A n d

The Vice-Chairman & Managing Director,

A.P.S.R.T.C., Hyderabad and others.

…Respondents

THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

W.P.No.23530 of 2005

ORDER:

The petitioner was appointed as Driver in the Adilabad region of A.P.S.R.T.C. on daily wage basis, on 06-05-1999, on being selected. Thereafter, he was transferred and posted to Karimnagar, Guntur, and Ranga Reddy regions. At present, he is working in the Ranga Reddy region. The grievance of the petitioner is that on account of frequent transfers, that too, outside the region, he is put to serious hardship. According to him, various authorities of the Corporation have assured him that he would be brought back to the Adilabad region, where he was initially appointed, and complains that even after several years, he is required to work outside his parent region.

Heard the learned counsel for the petitioner and learned Standing Counsel for the Corporation.

It is not in dispute that region is the unit, for the post of Driver, whether appointed on regular or daily wage basis. Transfer or posting of the Driver outside the region can take place, only on the basis of request, or on administrative grounds, that too by an authority, superior to the Regional Manager. Even where such transfers become inevitable, the postings have to take place from the bottom of seniority list. In W.P.No.10590 of 2005, dated
13-07-2005, this Court has undertaken discussion about this very issue and took the view that, employees, such as Drivers and Conductors, cannot be shifted outside the regions of their appointment, indiscriminately.

For the foregoing reasons, the writ petition is allowed in part, directing the

respondents to post the petitioner, at any place, in Adilabad region, within six weeks from the date of receipt of a copy of this order. So far as the assignment of work is concerned, the respondents shall follow the roster, and as long as any junior to the petitioner is provided work, he shall also be engaged. As regards the relief claimed by the petitioner for regularization of services as Grade-II Driver, the respondents shall consider the same in accordance with the relevant scheme and procedure, depending on the availability of vacancies, duly following the seniority.

There shall be no order as to costs.

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L. NARASIMHA REDDY, J.

Dt.03-11-2005.

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